

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>PHILIP CARPENTER,</b>	:	<b>CIVIL ACTION NO. 1:08-CV-2233</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>SUPERINTENDENT KLOPOTOSKI,</b>	:	
<b>et al.,</b>	:	
	:	
<b>Defendants</b>	:	
	:	

## ORDER

AND NOW, this 21st day of May, 2010, upon consideration of miscellaneous motions filed by the parties, it is hereby ORDERED that:

1. The corrections defendants' motion to withdraw (Doc. 120) their motion to take plaintiff's deposition is GRANTED. Plaintiff's deposition shall not take place until after the United States Court of Appeals for the Third Circuit disposes of plaintiff's appeal.
2. Plaintiff's motion to stay his deposition by corrections defendants (Doc. 117) is DENIED as moot.
3. Dr. Jesse's motion for leave to participate in the deposition of plaintiff or to depose plaintiff and to clarify the order of May 4, 2010 (Doc. 119), is DENIED as moot based upon the withdrawal of the corrections defendants' motion to depose plaintiff.
4. Because the resolution of plaintiff's claims neither implicates complex legal or factual issues nor requires factual investigation or the testimony of expert witnesses, see Tabron v. Grace, 6 F.3d 147, 155-57 (3d Cir. 1993) (listing factors relevant to request for counsel), plaintiff's motion for appointment of counsel (Doc. 116) is DENIED.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge